

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

## MOTION TO DISMISS

The United States, by and through Colm F. Connolly, United States Attorney for the District of Delaware, and Douglas E. McCann, Assistant United States Attorney for the District of Delaware, hereby moves to dismiss Counts II, III and V of the Indictment.

Respectfully submitted,

COLM F. CONNOLLY  
United States Attorney

By: /s/ Douglas E. McCann  
Douglas E. McCann  
Assistant United States Attorney  
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DATED: October 15, 2007

IT IS SO ORDERED this 15 day of October, 2007

Joseph J. Farnan, Jr.  
HONORABLE JOSEPH J. FARNAN, JR.  
UNITED STATES DISTRICT JUDGE

